<div align="center">

REMARKS
</div>

Summary of Amendments

       Independent claims 1, 7, 10, and 16 have been amended to correct typographical errors. Claims 7 and 16 have been amended for clarification. The title of the invention has been amended to reflect the claimed subject matter. No new matter has been added. Upon entry of these amendments, claims 1-18 will remain in the application.

Claim Rejections – 35 U.S.C. §102(b)

       Claims 1-18 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Peinado et al. (WO 00/59150) ("Peinado"). This rejection is improper and is respectfully traversed.

       The claims are directed to methods and computer readable media for rendering content encrypted according to a cryptographic key where a decryption key (KD) for decrypting the encrypted content is encrypted according to a public key of a rights management (RM) server that normally delivers (KD) within a license that is bound to the encrypted content. The claimed methods and computer readable media are directed to the situation where the RM server has been decommissioned and can no longer issue such a license to the user's computing device. In particular, when the RM server has been decommissioned, the method of independent claim 1 includes the following steps:

           receiving a notification that the RM server has been decommissioned;

           attempting to render a piece of content;

           determining that such content is protected to the decommissioned RM server;

           sending a request to the decommissioned RM server for the content key (KD) for the content rather than any license; and

           receiving (KD) from the decommissioned RM server.

Independent claim 10 recites computer-readable media having stored thereon computer-executable instructions for performing such a method of rendering content.

       Independent claim 7 is directed to the method for an RM server to respond to a request to render content encrypted according to a cryptographic key where a decryption key (KD) for decrypting the encrypted content is encrypted according to a public key of the RM server, where the RM server normally delivers (KD) within a license that is bound to the

encrypted content but has been decommissioned and can no longer issue such a license. In particular, when the RM server has been decommissioned, the method of independent claim 7 includes the following steps:

receiving the request to render the content, the request including the rights data corresponding to the content;

retrieving (KD) from the rights data by applying (PR-RM) to (PU-RM(KD)) to result in (KD); and

sending (KD) to the requester rather than any license when the RM server has been decommissioned.

Independent claim 16 recites computer-readable media having stored thereon computer-executable instructions for performing such a method of rendering content.

Support for the claimed methods and computer readable media may be found throughout the specification and particularly at pages 46-49 with reference to Figure 17.

In the claims rejection, the Examiner alleged that Peinado anticipated these claims and the claims dependent thereon. The Examiner is mistaken and the rejection was issued in error as the teachings of Peinado make no mention of performing the claimed steps when the RM server has been decommissioned. In fact, Applicant can find no mention of the steps to be followed in the Peinado system when the RM server is decommissioned and cannot issue a license.

In rejecting the claims, the Examiner references Peinado at page 32, line 11-page 33, line 29; page 35, lines 4-22; page 38, lines 16-23; page 39, line 2-page 41, line 3 for support of the rejections. However, these citations of Peinado have no relevance to the claimed methods. On the contrary, Peinado relates to a digital rights management system having a license server 24, a content server 22, and a user's computing device 14 including a black box 30 (Figure 1). License server 24 issues a license including (KD) for decrypting the encrypted content provided by content server 22. In Peinado, prior to issuing a license, the license server 24 checks the version number of the black box 30 in the user's computing device 14 (Figure 4) to determine whether the black box 30 is relatively current (steps 709, 711 of Figure 7). The license server 24 does not trust black box 30 unless it is relatively current. If the black box 30 is relatively current, then the license server 24 proceeds to negotiate the

terms and conditions for the license 16 with the user (step 713 of Figure 7). The license server 24 thus plays an important role in the methods taught by Peinado, and Peinado makes no mention of what happens when the license server 24 is unavailable or decommissioned, as is addressed by the claimed methods.

Peinado discusses on page 35 that the license server 24 may maintain a database 50 of issued licenses that may be re-issued to the user in the event that the user irretrievably loses his or her license; however, this has nothing to do with the steps to be taken when the license server 24 (as opposed to the user's computing device) malfunctions or is decommissioned. On the contrary, if one skilled in the art would have followed the teachings of Peinado, one skilled in the art would have backed up a decommissioned license server 24 by retrieving the licenses from a backup database, as opposed to providing the content key (KD) for the content rather than a license as claimed.

The sections of Peinado referenced by the Examiner relate to the actions of the black box 30 on the user's computing device 14 and have no relevance to the claimed method relating to the steps to be taken when the license server is no longer able to issue licenses, as when it has been decommissioned. Accordingly, the teachings of Peinado are not believed to be particularly relevant to the claimed methods and computer readable media. In any case, the teachings of Peinado clearly do not anticipate the claimed methods and computer readable media. Withdrawal of the rejection of claims 1-18 as being anticipated by Peinado is thus appropriate and is respectfully solicited.

Conclusion

     For at least the reasons set forth above, the rejection of claims 1-18 is believed to be improper and should be withdrawn. Withdrawal of the rejection of claims 1-18 and issuance of a Notice of Allowability are solicited.

Date: February 15, 2008

                                   /Michael P. Dunnam/
                                   Michael P. Dunnam
                                   Registration No. 32,611

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439